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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/718,473

05/14/2001

Alexander Steinkogler

JEK/Seinkogler

3550

7590

06/14/2004

BACON & THOMAS, PLLC

4th Floor

625 Slaters Lane

Alexandria, VA 22314-1176

EXAMINER

NGUYEN, KIMBERLY D

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,473

Applicant(s)

STEINKOGLER ET AL.

Examiner

Kimberly D. Nguyen

Art Unit

2876

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date. _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

1. Acknowledgement is made of Amendment filed 26 March 2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Legault (US 5,064,222).

Re claims 1-4, 7-10: Legault teaches a method for processing different successively processed groups of loose sheet material (i.e., the groups of sheets (3, 4, 7, 8 in figs. 1-2) serve as groups of loose sheet material, see col. 3, lines 1-5), comprising the following method steps:

separating the different groups of sheet material (see fig. 2), and
processing the separate groups of sheet material (see fig. 2), the step of processing including examining the fitness or obtaining information of loose sheet material of each group of sheet material (col. 2, lines, 1-23),

wherein a separator-card (cover-sheet 3 in figs. 1-2) is used for separating the different groups of sheet material, and at least one information-carrier (bar code applicator 8) is used for processing the different groups of sheet material and bears information specific to a group of sheet material, the separator card (3) and the at least one information carrier (8) being separate from one another (see figs. 1-2; col. 1, line 64 through col. 2, line 67).

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Re claims 5-6, 11-13: Legault teaches a method, wherein the separator card (cover-sheet 3 in figs. 1-2) and the at least one information carrier (bar code applicator 8 in figs. 1-2) are brought together with the groups of sheet material at different places (see figs. 1-2; col. 1, line 64 through col. 2, line 67).

Re claim 14: Legault teaches the separator card (3) comprised of colored tissue paper, which serves as the separator card possesses physical properties different from physical properties of the loose sheet material (col. 2, lines 4-5).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Legault in view of Kayani et al. (US 5,917,930; hereinafter "Kayani"). The teachings of Legault have been discussed above.

Legault fails to teach the groups of sheet material are defined by deposits of individual bank notes, the at least one information carrier bearing deposit data for an individual group of sheet material.

Kayani teaches the groups of sheet material are defined by deposits of individual bank notes, the at least one information carrier bearing deposit data for an individual group of sheet material (col. 2, line 21 through col. 3, line 13).

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It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use deposits of bank notes as taught by Kayani to the teachings of Legault in order to provide detail account information about the group of currency/sheets (col. 2, lines 62-66).

Response to Arguments

6. Applicant's arguments filed 26 March 2004 have been fully considered but they are not persuasive.

7. In response to applicant's argument that "Applicants respectfully disagree that the bar code applicator taught by Legault is an equivalent teaching of the information carrier of the present application, and assert that the bar code applicator of Legault could not reasonably be construed as an implicit teaching by Legault of the information carrier of the present application." (see page 8, lines 5-8); the examiner respectfully submits that "The bar code applicator is adapted to allow the user to apply a precise and uniform bar code designating a postal code to the face of an envelope" (col. 2, lines 29-32), wherein the bar-code-postal-code serves as the information carrier for each group of sheet material.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN

4 June 2004



KARL D. FRECH
PRIMARY EXAMINER